

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	28 September 1999
Name of applicant/court:	Secretary for Internal Affairs
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Chapter 5 "Dead But Not Dead"
Other Known Titles:	Email To Irene
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Stated
Author:	Not Stated
Format:	Computer Printout
Country of Origin:	Not Stated
Language:	English

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Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer printout entitled *Chapter 5 "Dead But Not Dead"* also known as *Email To Irene* is been classified as:
Objectionable.

The computer printout has been given this classification because it tends to support sexual conduct with the body of a dead person. The computer printout contains text printed onto paper which describes the last 30 minutes of a woman's life. The woman's body is placed on a hospital gurney where she is undressed and her naked body is eroticised by the narrator. When the woman has less than 15 minutes to live the narrator begins to undress himself in anticipation of having sex with the woman at the moment of death. Much of the publication is written in an anticipatory style where the narrator is savouring the moment when the woman will die and her body will be flaccid. The salacious tone of the chapter and the focus given to the narrator's anticipation of sex with the woman's dead body is such that the computer printout is considered to tend to support sexual conduct with the body of a dead person.

The Classification Office has considered the New Zealand Bill of Rights Act 1990 (NZBR Act) in relation to this publication, specifically the right to freedom of expression detailed in s14. In this instance the publication tends to support sexual conduct with the body of a dead person under s3(2)(c) of the Films, Videos, and Publications Classification Act 1993, and this criterion is a deeming provision that cannot be given a meaning that is consistent with the NZBR Act.

OFLC Ref: 9900276